

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

WAYNE HUTTER,

Petitioner,

v.

Case No. 11-15246

PAUL KLEE,

HON. AVERN COHN

Respondent,

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**ORDER DENYING WITHOUT PREJUDICE PETITIONER'S  
MOTION FOR ORAL ARGUMENT (Doc. 13)**

I.

This is a habeas case under 28 U.S.C. § 2254. Before the Court is Petitioner's motion for oral argument. For the reasons that follow, the motion is DENIED WITHOUT PREJUDICE.

II.

Petitioner requests oral argument because he believes his habeas petition raises interesting and complex issues such that they require oral argument so the Court may benefit and the interests of justice are served. Although courts do not typically grant oral argument when a party is in custody, a court has discretion to do so. See E.D. Mich. L.R. 7.1(f)(1).

Respondent's answer and the Rule 5 materials were filed on June 4, 2012. The Court has not yet had an opportunity to review those materials. If after reviewing those materials, as well as Petitioner's reply, the Court believes oral argument would be

beneficial, then it will be scheduled. However, it would be premature to schedule oral argument at this time. No additional motions need to be filed with respect to this issue.

SO ORDERED.

S/Avern Cohn  
AVERN COHN  
UNITED STATES DISTRICT JUDGE

Dated: November 1, 2012

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, November 1, 2012, by electronic and/or ordinary mail.

S/Julie Owens  
Case Manager, (313) 234-5160